

1
2
3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
6

7 BRIAN WRIGHT,

8 Plaintiff,

9 vs.

10 KIMBERLY FRAYN, et al.,

11 Defendants.
12

Case No. 2:17-cv-01844-MMD-CWH

ORDER

13 Presently before the court is Plaintiff Brian Wright's application to proceed *in forma*
14 *pauperis* (ECF No. 4), filed on July 19, 2017.

15 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an incarcerated plaintiff seeking to
16 proceed *in forma pauperis* must complete an application to proceed *in forma pauperis* and attach
17 (1) an inmate account statement for the past six months, and (2) a properly executed financial
18 certificate. If the plaintiff has been incarcerated at the institution for fewer than six months, the
19 certificate must show the account's activity for the shortened period. LSR 1-2.

20 Here, Plaintiff's application to proceed *in forma pauperis* is incomplete. Specifically,
21 question one, which requires information about current and former employment, is incomplete.
22 Additionally, Plaintiff does not attach an inmate account statement. The court therefore will deny
23 Plaintiff's application to proceed *in forma pauperis* without prejudice. Plaintiff must properly
24 complete his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee
25 for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis*, then
26 Plaintiff must file a complete application including all of the documents referenced in this order.
27 Plaintiff is advised that if he has been incarcerated at his current institution for fewer than six
28 months, then he must submit an inmate account statement for the period he has been incarcerated.

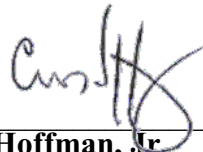
1 IT IS THEREFORE ORDERED that Plaintiff's Application to Proceed *In Forma Pauperis*
2 (ECF No. 4) is DENIED without prejudice.

3 IT IS FURTHER ORDERED that the Clerk of Court must send Plaintiff a blank application
4 to proceed *in forma pauperis* by an inmate as well as the document titled "Information and
5 Instructions for Filing a Motion for Leave to Proceed *In Forma Pauperis*."

6 IT IS FURTHER ORDERED that by September 22, 2017, Plaintiff must either: (1) file a
7 complete application to proceed *in forma pauperis*, on the correct form with complete financial
8 attachments, or (2) pay the full \$400 fee for filing a civil action, which includes the \$350 filing fee
9 and the \$50 administrative fee.

10 IT IS FURTHER ORDERED that failure to timely comply with this order may result in a
11 recommendation that this case be dismissed without prejudice.

12
13 DATED: August 23, 2017



14
15 **C.W. Hoffman, Jr.**
16 **United States Magistrate Judge**
17
18
19
20
21
22
23
24
25
26
27
28